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6 Attorneys for Defendant/Counterclaimant,
   AVIATOR BREWING COMPANY, INC.
7

8   **UNITED STATES DISTRICT COURT**

9   **NORTHERN DISTRICT OF CALIFORNIA**

10

11 TABLE BLUFF BREWING, INC. d/b/a   )   CASE NO. 3:14-cv-3433-CRB
   LOST COAST BREWERY & CAFE, a   )
12 California corporation,   )   [Hon. Charles R. Breyer]
)
13   Plaintiff,   )   **JOINT STIPULATION TO CONTINUE**
)   **HEARING DATE ON DEFENDANTS'**
14   )   **MOTION TO DISMISS, TO ALTER**
      vs.   )   **BRIEFING SCHEDULE ON DEFENDANTS'**
15   )   **MOTION TO DISMISS, AND TO**
)   **CONTINUE CASE MANAGEMENT**
16 AVIATOR BREWING COMPANY, INC., a)   **CONFERENCE; ORDER APPENDED**
   North Carolina Corporation,   )   **HERETO**
17   )
              Defendant.   )
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Joint Stipulation to Continue Dates and
Alter Motion to Dismiss Briefing Schedule
Case No. C 14-3433 CRB

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JOINT STIPULATION

Pursuant to Civ.L.R. 6-2, Table Bluff Brewing, Inc. dba Lost Coast Brewery & Café ("Table Bluff") and Aviator Brewing Company, Inc. ("Aviator") hereby submit the following stipulation:

WHEREAS, Aviator filed a motion to dismiss originally scheduled for hearing on October 3, 2014, and upon reassignment of this matter to this Court, Aviator filed an Amended Notice of Motion having the same hearing date as the original notice (see, Docket Nos. 11, 16);

WHEREAS, upon learning of the Court's unavailability for hearing on October 3, 2014, Aviator filed a Second Amended Notice of Motion moving the hearing date to October 10, 2014 (see, Docket No. 18);

WHEREAS, the Court, sua sponte, moved the hearing date for Aviator's motion to dismiss to October 17, 2014 (see, Docket No. 19);

WHEREAS, primary counsel for Aviator is located in North Carolina and will be involved in a protracted "Markman Trial" presently scheduled for 2 weeks and commencing on October 14, 2014;

WHEREAS, primary counsel for Aviator, based on the current hearing date of October 17, 2014 for the motion to dismiss, has a schedule conflict;

WHEREAS, the Court has also set a Case Management Conference for October 31, 2014;

WHEREAS, counsel for the parties have met and conferred concerning the foregoing, and have agreed to request a change in the foregoing dates to accommodate Aviator's primary counsel's scheduling conflict;

WHEREAS, counsel for the parties have agreed as follows:

- The hearing date for Aviator's motion to dismiss shall be re-scheduled for November 7, 2014;

- The briefing schedule for Aviator's motion to dismiss shall have Table Bluff's opposition papers due on September 29, 2014 and Aviator's reply papers due on October 10, 2014;

**Joint Stipulation to Continue Dates and
Alter Motion to Dismiss Briefing Schedule**
Case No. C 14-3433 CRB

1   • The Case Management Conference shall be re-scheduled for November 7, 2014,

2   with the deadline for counsel to meet and confer extended to October 8, 2014, and

3   the deadline to submit the Joint Case Management Statement extended to October

4   31, 2014;

5   WHEREAS, this stipulation is not submitted for purposes of delaying these proceedings,

6   but as an accommodation to Aviator's primary counsel's schedule.

7   NOW THEREFORE, the parties, by and through their respective counsel, jointly stipulate

8   and agree that:

9   • The hearing date for Aviator's motion to dismiss shall be re-scheduled for

10   November 7, 2014;

11   • The briefing schedule for Aviator's motion to dismiss shall have Table Bluff's

12   opposition papers due on September 29, 2014 and Aviator's reply papers due on

13   October 10, 2014;

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**Joint Stipulation to Continue Dates and
Alter Motion to Dismiss Briefing Schedule**
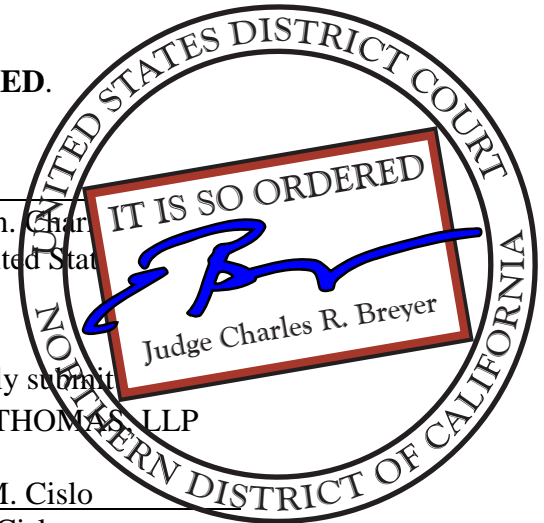Case No. C 14-3433 CRB

- The Case Management Conference shall be re-scheduled for November 7, 2014, with the deadline for counsel to meet and confer extended to October 8, 2014, and the deadline to submit the Joint Case Management Statement extended to October 31, 2014;

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: September 17, 2014   By: _____
                                          Hon. Char[...]
                                          United Stat[...]

IT IS SO ORDERED
Judge Charles R. Breyer

Dated: September 8, 2014   Respectfully submit[...]
                                    CISLO & THOMAS LLP

                                    By: /s/Daniel M. Cislo
                                         Daniel M. Cislo
                                         Mark D. Nielsen

                                         Of Counsel:
                                         Coats & Bennett PLLC
                                         Emily M. Haas (N.C. Bar No. 39,716)
                                         David E. Bennett (N.C. Bar No. 12,864)
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                                         Attorneys for Defendant,
                                         AVIATOR BREWING COMPANY, INC.

Dated: September 8, 2014   CALDARELLI HEJMANOWSKI & PAGE LLP

                                    By: s/Ben West (with permission)
                                         Jack R. Leer
                                         Ben West

                                         Attorneys for Plaintiff,
                                         TABLE BLUFF BREWING, INC. dba LOST
                                         COAST BREWERY & CAFE

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Left margin:
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